REMARKS

Claims 9-28 are pending in this patent application. These claims have all been rejected under 35 U.S.C. 103(a) as obvious over Fleming, variously in view of Sundsted and Lalonde. Several attempts to hold a telephonic interview with Examiner Nooristany were unsuccessful.

Claim Rejections - 35 U.S.C. 103(a)

The rejection of claims 9-20 and 25-28 under 35 U.S.C. 103(a) as being unpatentable over US patent 6,249, 805 to Fleming in view of US patent 5,999,967 to Sundsted is respectfully traversed for at least the following reasons:

Regarding independent claim 9, from which all of the other claims ultimately depend, Fleming teaches a computer system and method for filtering unauthorized electronic mail messages that are sent by senders to a user. The system includes a list of the identifications of the senders who are authorized to send an electronic mail message to the user. When an electronic mail message is received, the system determines whether the sender of the electronic mail message is authorized by determining whether the identification of the sender in the electronic mail message is in the list of the identifications of the senders who are authorized. When the sender of the electronic mail message is determined to be authorized, the system stores the electronic mail message in an Inbox folder. When the sender of the electronic mail message is determined to be not authorized, the system stores the electronic mail message in a Junk Mail folder. In this way, the electronic mail messages are automatically stored in the appropriate folder based on whether the sender is authorized so that the user can view the Inbox folder containing the electronic mail messages sent by authorized senders separately from the Junk Mail folder containing the electronic mail messages sent by unauthorized senders.

Fleming does not suggest that the foregoing teaching be combined with the step of:

"performing an analysis to see if there is serial, incremental user identification occurring so that conclusions can be drawn concerning automatic attempts at breaking into the e-mail system,"

as required by the last paragraph of claim 9.

The step of "performing an analysis to see if there is serial, incremental user identification occurring so that conclusions can be drawn concerning automatic attempts at breaking into the e-mail system" is related to the recited "method to automatically handle undesired electronic mail" in that by breaking into the e-mail system one can so modify the e-mail system as to enable an undesired e-mail to be stored in the mailbox MB by compromising the authentication aspect of the recited method required by the steps recited at lines 4-9 of claim 9, such as, for example, by adding the address of an undesired sender to the list of authorized sender addresses.

The Examiner has asserted that Sundsted teaches that it is well known to utilize filtering received emails in combination with performing an analysis to see it there is a serial incremental user identification occurring so that conclusions can be drawn concerning automatic attempts at breaking into the e-mail system.

Applicant respectfully disagrees.

The various analyses performed by the analysis module 23 of Sundsted are unrelated to seeing if a serial, incremental user identification is occurring.

It is respectively requested that the Examiner explain his reasoning for said assertion because Applicant can find no basis for the Examiner's stated conclusion.

Claims 10-20 and 25-28 all depend from claim 9 and thereby are believed to be patentable for at least the same reasons as stated above regarding claim 9.

The rejection of claims 21-24 as being unpatentable under 35 U.S.C. 103(a) over US patent 6,249, 805 to Fleming in view of US patent 5,999,967 to Sundsted, further in view of US patent 7,072,944 to Lalonde, is respectfully traversed for at least the following reason:

Claims 21-24 all depend from claim 9 and thereby are believed to be patentable at least for the same reasons as stated above regarding claim 9.

Conclusion

Applicant does not necessarily agree with any of the Examiner's comments regarding the applicability of the cited references to any of the claims. However, in view of the reasons presented herein for traversing the rejections of the claims, applicant is not presenting additional arguments at this time. Applicant reserves the right to present

additional arguments for traversing the present and any future rejections of the claims.

Reconsideration and allowance of claims 9-28 are respectfully requested. Should any issues remain unresolved, Examiner Nooristany is invited to telephone the undersigned attorney.

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Respectfully submitted,

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